

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
FORMAN HOLT 365 West Passaic Street, Suite 400 Rochelle Park, NJ 07662 (201) 845-1000 Attorneys for Debtor Erin J. Kennedy, Esq. ekennedy@formanlaw.com	
In Re: JOSE TOBAR-VALLE, Debtor.	Case No.: 23-15001 (VFP) Chapter 11 Judge: Hon. Vincent F. Papalia

CERTIFICATION OF BALLOTING

Erin J. Kennedy hereby certifies as follows:

1. I am an attorney at law in the State of New Jersey and represent Jose Tobar-Valle (“Debtor”) in connection with the captioned case.
2. The Debtor filed a petition for relief under Chapter 11 of Title 11 of the United States Code on June 8, 2023.
3. On August 1, 2024, the Debtor filed a Small Business Debtor’s Fourth Modified Combined Plan of Reorganization and Disclosure Statement (“Fourth Modified Plan and Disclosure Statement”) [Doc. No. 129].
4. On August 15, 2024, the Court entered an Order Conditionally Approving Disclosure Statement, Setting Deadlines, and Scheduling Confirmation Hearing (the “Order”) [Doc. No. 130], which fixed September 19, 2024 as the confirmation hearing date.
5. On August 16, 2024, my office served the Fourth Modified Plan and Disclosure Statement, the Order and a ballot for filing of written acceptances or rejections of the Fourth

Modified Plan and Disclosure Statement to all creditors. A Certification of Service was filed on August 21, 2024 [Doc. No. 132].

6. In accordance with the Fourth Modified Plan and Disclosure Statement, ballots were submitted to my office by creditors eligible to vote.

7. A summary of the ballots returned is set forth below:

	Impaired Yes/No	Number of Ballots Cast	Number of Ballots Accepting	Number of Ballots Rejecting	Percentage of Ballots Accepting	Dollar Amount of Ballots Accepting	Dollar Amount of Ballots Rejecting	Percentage of Dollar Amount Accepting	Accept Yes/No
CLASS 1	No								
CLASS 2	No								
CLASS 3	No	1	1	0	100%	\$293,622.65		100%	YES
CLASS 4	Yes	1	1	0	100%	\$1,973,097.16		100%	YES
CLASS 5	No								
CLASS 6	Yes	1	1	0	100%	\$610.86		100%	YES

8. No ballots rejecting the Fourth Modified Plan and Disclosure Statement were received.

9. Copies of all returned ballots are attached hereto as Exhibit A.

I certify that the foregoing statements made by me are true. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: September 23, 2024

/s/ Erin J. Kennedy
Erin J. Kennedy

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

FORMAN HOLT
365 West Passaic Street, Suite 400
Rochelle Park, NJ 07662
(201) 845-1000
Attorneys for Debtor
Erin J. Kennedy, Esq.
ekennedy@formanlaw.com

In Re:

JOSE TOBAR-VALLE,

Debtor.

Case No.: 23-15001 (VFP)

Chapter 11

Judge: Hon. Vincent F. Papalia

BALLOT

Jose Tobar- Valle, Plan Proponent, filed a Small Business Debtor's Fourth Modified Combined Plan of Reorganization and Disclosure Statement dated August 1, 2024 (the "Plan and Disclosure Statement") as the Debtor in this case. The Court has conditionally approved a Plan and Disclosure Statement. The Plan and Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have of the Plan and Disclosure Statement, you may obtain a copy from Erin J. Kennedy, Esq., Forman Holt, 365 West Passaic Street, Suite 400, Rochelle Park, NJ 07662, 201-845-1000, ekennedy@formanlaw.com. The conditional approval by the Court of the Plan and Disclosure Statement does not indicate approval of the Plan by the Court.

You should review Plan and Disclosure Statement before you vote. You may wish to seek legal advice concerning the Plan and Disclosure Statement and your classification and treatment under the Plan. Your claim or equity interest has been placed in class 3 under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Erin J. Kennedy, Esq., Forman Holt, 365 West Passaic Street, Suite 400, Rochelle Park, NJ 07662, 201-845-1000, ekennedy@formanlaw.com on or before September 19, 2024 and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE DEBTOR'S FOURTH MODIFIED PLAN

The Undersigned, a creditor of the above-named Debtor in the unpaid amount of \$ 293,622.65; Class Number (refer to Plan and Disclosure Statement for Class Number): 3

Check One Box:

X ACCEPTS THE PLAN

____ REJECTS THE PLAN

(Print or Type Name of Creditor)

FIRST BANK

[Signature]
(Signature)

REBECCA K. McDOWELL

(Print name of person executing this Ballot)

SALDUTIELLO GROUP

1040 Kings Hwy. N., Suite 100

(Address) CHERRY HILL, NJ 08034

Dated: 8.21.24

Return by mail to:
Tobar-Valle Ballot Box
c/o Erin J. Kennedy, Esq.
Forman Holt
365 West Passaic Street, Suite 400
Rochelle Park, NJ 07662
ekennedy@formanlaw.com

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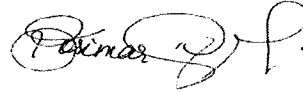
If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE DEBTOR'S FOURTH MODIFIED PLAN

Selective Insurance Company of America, a creditor of the above-named Debtor in the unpaid amount of \$1,973,097.16; Class Number 4:

Check One Box: X ACCEPTS THE PLAN
 REJECTS THE PLAN

Selective Insurance Company of America



(Signature)

Zorimar Concepción
Bond Claims Specialist
Surety & Fidelity Bond Claims
SELECTIVE INSURANCE COMPANY OF AMERICA
P.O. Box 7266
London, KY 40742

Dated: September 19, 2024

Return by mail to:
Tobar-Valle Ballot Box
c/o Erin J. Kennedy, Esq.
Forman Holt
365 West Passaic Street, Suite 400
Rochelle Park, NJ 07662
ekennedy@formanlaw.com

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You should review Plan and Disclosure Statement before you vote. You may wish to seek legal advice concerning the Plan and Disclosure Statement and your classification and treatment under the Plan. Your claim or equity interest has been placed in class 6 under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Erin J. Kennedy, Esq., Forman Holt, 365 West Passaic Street, Suite 400, Rochelle Park, NJ 07662, 201-845-1000, ekennedy@formanlaw.com on or before September 19, 2024 and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE DEBTOR'S FOURTH MODIFIED PLAN

The Undersigned, a creditor of the above-named Debtor in the unpaid amount of \$ 610.86; Class Number (refer to Plan and Disclosure Statement for Class Number):

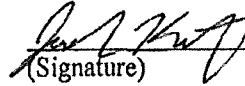
Account Ending: 3000
Check One Box:

X ACCEPTS THE PLAN

REJECTS THE PLAN

(Print or Type Name of Creditor)

American Express National Bank


(Signature)

Jordan Katz for Kenneth W. Kleppinger, Attorney/Agent for creditor

(Print name of person executing this Ballot)

c/o Becket & Lee LLP

PO Box 3001, Malvern PA 19355

(Address)

Dated: Septemer 11, 2024

Return by mail to:
Tobar-Valle Ballot Box
c/o Erin J. Kennedy, Esq.
Forman Holt
365 West Passaic Street, Suite 400
Rochelle Park, NJ 07662
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